

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NANCY KINDER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

Case No. 11-14369

HILLER, INC., d/b/a HILLER'S,

Defendant.

Hon. John Corbett O'Meara

And

HILLER, INC., d/b/a HILLER'S,

Third-party Plaintiff,

v.

PUBLIC PAYTEL, INC., d/b/a FIRST
NATIONAL ATM, a Michigan corporation,

Third-party Defendant.

ORDER DENYING MOTION FOR RECONSIDERATION

Before the court is Defendant Hiller, Inc.'s motion for reconsideration of the court's October 17, 2011 order of reassignment of this case from Judge Rosen to Judge O'Meara pursuant to LR 83.11. Defendant's motion was filed on November 18, 2011, which is outside the fourteen-day period allowed for motions for reconsideration. See LR 7.1(h)(1) ("A motion for rehearing or reconsideration must be filed within 14 days after entry of the judgment or order."). Accordingly, it will be denied as untimely. Further, the court finds that Defendant has failed to "demonstrate a palpable defect by which the court and the parties . . . have been

misled.” LR 7.1(h)(3).

Therefore, IT IS HEREBY ORDERED that Defendant’s motion for reconsideration is
DENIED.

s/John Corbett O’Meara
United States District Judge

Date: February 2, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, February 2, 2012, using the ECF system.

s/William Barkholz
Case Manager